

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF WATS INTERNATIONAL	)	
CORPORATION FOR A CERTIFICATE OF	)	
PUBLIC CONVENIENCE AND NECESSITY	)	
TO TRANSACT THE BUSINESS OF A RESELLER	)	CASE NO. 93-184
OF INTEREXCHANGE TELECOMMUNICATIONS	)	
SERVICES WITHIN THE STATE OF KENTUCKY	)	
AND FOR APPROVAL OF ITS INITIAL TARIFF	)	

O R D E R

IT IS ORDERED that WATS International Corporation ("WATS International") shall file the original and 10 copies of the following information with the Commission. The information requested shall be placed in a bound volume with each item tabbed.

The information requested herein is due no later than 30 days from the date of this Order. If the information cannot be provided by this date, WATS International shall submit a motion for an extension of time stating the reason a delay is necessary and include a date by which the information can be furnished. Such motion will be considered by the Commission.

1. Has WATS International or any of its affiliates ever provided, or collected any money from the public for, intrastate telecommunications services in Kentucky? If so, explain in detail.

2. Refer to Original Page 9, Alternate Access.

a. If WATS International intends to resell services that are not available under an approved tariff, provide copies of the contracts which govern the terms of the agreement between WATS International and its facilities-based carriers.

b. Refer to Original Page 29, Heading 2.12, Special Customer Arrangements. A utility shall file any special contracts in accordance with 807 KAR 5:011, Section 13, with 30 days notice to the Commission.

3. Refer to Original Page 18, Heading 2.1.5.

a. Include clarifying language stating that WATS International shall not terminate or refuse service to any customer for noncompliance with its tariffed rules or Commission regulations without first having made a reasonable effort to obtain customer compliance. Also, service may be terminated or refused only after the customer has been given at least 10 days written notice.

b. State that service will not be terminated until 20 days after the mailing date of the original unpaid bill.

4. Refer to Original Page 19, Heading 2.1.7. Substitute the following language:

Any customer desiring service terminated or changed shall give WATS International 3 working days notice in person, in writing, or by telephone, provided such notice does not violate contractual obligations or tariff provisions.

5. Refer to Original Page 20, Heading 2.2.5. This section should be deleted because it relates to matters outside the jurisdiction of this Commission.

6. Refer to Original Page 21, Heading 2.3.4. A utility cannot require a customer to secure rights-of-way. Delete this requirement from your tariff.

7. Refer to Original Page 23, Section 2.3. Liability. Insert a new heading 2.3.11 and include in it this language:

Acceptance by the Commission of the liability provisions contained in this tariff does not constitute its determination that the limitation of liability imposed by the company should be upheld in a court of law, but the recognition that, as it is the duty of the courts to adjudicate negligence claims and rights to recover damages therefor, so it is the duty of the courts to determine the validity of the exculpatory provisions of this tariff.

8. Refer to Original Page 24, Heading 2.5.2. Clarify that WATS International will terminate service without notice only where a dangerous condition is found to exist or for theft or illegal use of service.

9. Refer to Original Page 26, Heading 2.7.2. Specify the amount of WATS International's late payment penalty and clarify that the late payment fee will not be assessed on unpaid penalty charges and any payment received shall first be applied to the bill for services rendered.

10. Refer to Original Page 28, Heading 2.10, Method for Calculation of Airline Mileage. Substitute this formula for the one shown.

$$[(0.1)((V_1 - V_2)^2 + (H_1 - H_2)^2)]^{0.5}$$

11. 807 KAR 5:006, Section 3, requires each utility to include its billing format or the contents of such a form in its tariff on file with the Commission.

12. Refer to Original Page 24, Heading 2.5.2.A. A utility may require a deposit from an applicant for service to ensure payment of bills and may refuse service if the applicant is indebted to it; however, service cannot be refused because the applicant is indebted to a separate entity.

13. Reinsert Headings 2.5.3.E and 2.5.3.F into your proposed tariff.

14. Reinsert Heading Credit Allowance except for the wording "no credit shall be allowed" into your proposed tariff.

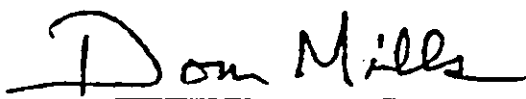
15. State the amount of all your nonrecurring charges and put them under Headings 4.6.1 and 4.8.1.

Done at Frankfort, Kentucky, this 21st day of July, 1993.

PUBLIC SERVICE COMMISSION

  
For the Commission

ATTEST:

  
Executive Director